

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lisa Adams on April 16, 2009.

The application has been amended as follows:

AMENDMENTS TO THE CLAIMS

1-60. (Canceled).

61. (Currently Amended) A method for anchoring soft tissue within bone comprising: drilling an opening ~~into~~ completely through a bone;

inserting into a first end of said bone opening a stabilizing element comprising an elongated sleeve with an axial channel extending therethrough;

threading soft tissue through an aperture in an insertion element comprising an aperture- containing stem head proximally located to an elongated stem, said stem having a diameter slightly larger than that of said axial channel of said elongated sleeve; and

pulling the a suture extending from a second end of said bone opening to pull a distal end of said insertion element into a proximal end of said stabilizing element to cause the stabilizing element to deformably expand and obtain a pressure fit within the bone opening.

62. (Original) The method according to claim 61, wherein said soft tissue is a tendon graft.

63. (Original) The method according to claim 61, wherein the method of drilling said opening comprises creating a stepped opening.

64. (Original) The method according to claim 63, wherein the stepped opening has at least two different diameters, one less than the diameter of the stabilizing element, and one greater than the diameter of the stem head.

65. (Original) The method according to claim 64, wherein said elongated sleeve of said stabilizing element is screwed into said bone opening at the diameter where said stepped bone opening is slightly smaller than that of said elongated sleeve.

66. (Original) The method according to claim 65, wherein said axial channel in the stabilizing device is non-cylindrical, and wherein said stabilizing element is screwed into said stepped bone opening by use of an emplacement device fitted into said non-cylindrical axial channel.

67. (Previously Presented) The method according to claim 63, wherein said insertion element retaining said soft tissue is inserted forcibly into said stabilizing element screwed into said stepped bone hole.

68. (Previously Presented) The method according to claim 61, wherein said stabilizing element includes a flange at its distal end, whereby upon insertion of the stabilizing element in the bone opening, the flange is disposed at least partially outside the bone opening in a configuration whereby it will oppose further movement of the stabilizing element into the bone opening.

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69-74. (Canceled).

75. (Currently Amended) A method for replacing a torn ligament comprising:
obtaining a tendon graft;
drilling a hole ~~into~~ completely through a bone;
looping said tendon graft through an aperture in an insertion element;
inserting a stabilizing element comprising a sleeve with a cavity therein into a first end of said hole; and
pulling a suture extending from a second end of said hole to pull a ~~the~~ distal end of an insertion element comprising a stem with an aperture-containing stem head at the proximal end of said stem into ~~the~~ a proximal end of said stabilizing element to cause the stabilizing element to deformably expand to hold the insertion element in the stabilizing element by a compression fit.

76. (Original) The method of claim 75, wherein said ligament is an anterior cruciate ligament and said bone aperture is in either a femur or tibia.

77-81. (Canceled).

82. (Original) The method of claim 75, wherein said stabilizing element is affixed into bone by interference fit.

83. (Original) The method of claim 75, wherein said stabilizing element comprises a flange at its distal end, whereby upon insertion of the stabilizing element into a bone opening, the flange is disposed at least partially outside the bone opening in a configuration whereby it will oppose further movement of the stabilizing element into the bone opening.

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84. (Currently Amended) A method for replacing a torn ligament comprising:

- obtaining a tendon graft;
- drilling a hole ~~into~~ completely through a bone;
- looping said tendon graft through an aperture in an insertion element, said insertion element comprising a stem with an aperture containing stem head at a proximal end of said stem and any of an aperture, slot and barb at the distal end of said stem;
- inserting a stabilizing element comprising a sleeve with a cavity therein into a first end of said hole; and
- pulling ~~the~~ a suture extending from a second end of said hole to pull a distal end of the insertion element into ~~the~~ a proximal end of the stabilizing element.

85-94. (Canceled).

95. (Currently Amended) A method for anchoring soft tissue within bone comprising:

- drilling a stepped opening ~~into~~ completely through a bone;
- inserting into a first end of said stepped bone opening a stabilizing element comprising an elongated sleeve with a non-cylindrical axial channel extending therethrough, wherein said stabilizing element is screwed into said stepped bone opening by use of an emplacement device fitted into said non-cylindrical axial channel;
- threading soft tissue through an aperture in an insertion element comprising an aperture-containing stem head proximally located to an elongated stem, said stem

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having a diameter slightly larger than that of said axial channel of said elongated sleeve;
and

pulling ~~the~~ a suture extending from a second end of said stepped bone opening
to pull a distal end of said insertion element into a proximal end of said stabilizing
element to deformably expand the stabilizing element.

AMEND THE SPECIFICATION AS FOLLOWS

Please amend the "Reference to Related Applications" section as follows:

This application is a divisional application of U.S. Patent Application Serial No.
08/976,257 filed November 21, 1997 now US Patent 6,616,694, which claims priority to
and is a continuation-in-part of U.S. Patent Application Serial No. 09/887,580, filed July
3, 1997 now abandoned, and of U.S. Patent Application Serial No. 08/754,566, filed
November 21, 1996 now abandoned the contents of which are incorporated herein by
reference.

The title has been changed to ---Method for Anchoring Autologous or Artificial
Tendon Grafts in Bone---.

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Examiner Paul B. Prebilic whose telephone number is
(571) 272-4758. He can normally be reached on 6:30-5:00 M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, David Isabella can be reached on 571-272-4749. The fax phone number for
the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.

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/Paul Prebilic/
Paul Prebilic
Primary Examiner
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